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Signature: June Webber

PATENT
Docket No. P1188

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: ABHA AHUJA, EXAMINER: UNASSIGNED

MATT AYERS

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OPHIR RONEN

PAUL J. SCHACHTER

OSCAR B. STIFFELMAN

CHRISTOPHER D. WHEELER

SERIAL NO.: 09/644,221 ART UNIT: 2151

FILED: AUGUST 22, 2000

FOR: METHOD AND SYSTEM FOR OPTIMIZING ROUTING THROUGH
MULTIPLE AVAILABLE INTERNET ROUTE PROVIDERS

BOX MISSING PARTS
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

**DECLARATION OF F. DAVID LA RIVIERE IN SUPPORT OF
PETITION TO THE COMMISSIONER UNDER 37 CFR 1.47(A)
FILING WHEN AN INVENTOR IS UNAVAILABLE**

Dear Sir:

F. David LaRiviere, on information and belief, hereby declares as follows:

1. The above identified patent application was prepared and filed in the Patent and Trademark office August 22, 2000.
2. On October 4, 2000, a Notice to file Missing Parts of Application was mailed from the Patent and Trademark Office which stated in pertinent part that the Oath or Declaration is missing. A copy of this Notice to File Missing Parts of Application is attached as Exhibit A.

3. On October 25, 2000, a letter and documents were sent via certified mail to the proposed assignee for signature by Mr. Ronen and his co-inventors as instructed by the proposed assignee. A copy of this correspondence is attached as Exhibit B.

4. Inventor Ophir Ronen is on extended sabbatical leave from the proposed assignee, InterNAP Network Services, Inc, of Seattle, Washington.

5. It is believed that Ophir Ronen is not residing in any one place. Rather, Mr. Ronen is continually traveling without permanent residence while on sabbatical.

6. While the documents were sent to Mr. Ronen to his last known temporary address by the proposed assignee of the present application, it is believed he never received them or they were lost after he received and returned them, because the signed documents have not been received by the proposed assignee.

7. No further effort has been made to contact Ophir Ronen in view of the extent of this known travel plans to remote places and countries foreign to the United States from which he is unable to communicate with the proposed assignee because of such remoteness. Mr. Ronen's itinerary and return date is unknown.

8. The last known address for Ophir Ronen is 3420 39th Avenue SW, Seattle, WA 98116. I have no knowledge of any other current or past residence address for Ophir Ronen.

9. I declare that all statements made herein are true and correct to the best of my knowledge and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above identified application or any patent issuing thereon.

Respectfully submitted,



F. David LaRiviere
Pat. Reg. No. 27,207

FDL/kr

December 1, 2000

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